

1 PHILLIP A. TALBERT
2 United States Attorney
3 MATHEW W. PILE, WSBA No. 32245
4 Associate General Counsel
5 Office of Program Litigation, Office 7
6 Social Security Administration
7 MARCELO ILLARMO (MABN 670079)
8 Special Assistant United States Attorney
9 Office of the General Counsel
10 Social Security Administration
11 6401 Security Boulevard
12 Baltimore, Maryland 21235
13 Telephone: (510) 970-4822
14 E-Mail: Marcelo.Illarmo@ssa.gov
15 Attorneys for Defendant

16 **UNITED STATES DISTRICT COURT**
17 **EASTERN DISTRICT OF CALIFORNIA**

18
19
20
21
22
23
24
25
26
27
28

PAULA CHONG,) Case No.: 1:24-cv-00376-SKO
v.) STIPULATION AND UNOPPOSED
MARTIN O'MALLEY,) MOTION FOR VOLUNTARY REMAND
Commissioner of Social Security) PURSUANT TO SENTENCE FOUR OF 42
Plaintiff,) U.S.C. § 405(g); ORDER
Defendant.) (Doc. 16)

IT IS HEREBY STIPULATED, by and between the parties, through their undersigned attorneys, and with the approval of the Court, that the Commissioner of Social Security has agreed to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. § 405(g). The purpose of the remand is to offer Plaintiff a new decision.

On remand, the Commissioner will offer the claimant an opportunity for a hearing, conduct any necessary further proceedings and issue a new decision. The parties further request

1 that the Clerk of the Court be directed to enter a final judgment in favor of Plaintiff, and against
2 Defendant, reversing the final decision of the Commissioner.

3
4 Respectfully submitted,

5 Dated: August 29, 2024

/s/Jonathan Omar Pena *
(*as authorized via e-mail on 8/26/24)
JONATHAN OMAR PENA
Attorney for Plaintiff

6
7 Dated: August 29, 2024

PHILLIP A. TALBERT
United States Attorney

8
9 By: */s/ Marcelo Illarmo*
10 MARCELO ILLARMO
11 Special Assistant United States Attorney

12
13 Attorneys for Defendant

14
15
16 **ORDER**

17 Based upon the parties' Stipulation and Unopposed Motion to Voluntary Remand Pursuant
18 to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand") (Doc.
19 16), and for cause shown,

20 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the above-captioned
21 action is remanded to the Commissioner of Social Security for further proceedings consistent with
22 the terms of the Stipulation to Remand.

23 The Clerk of Court shall enter a final judgment in favor of Plaintiff, and against Defendant,
24 vacating and reversing the final decision of the Commissioner and shall thereafter close this case.

25 IT IS SO ORDERED.

26
27 Dated: August 30, 2024

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE